

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

**NOTICE OF MOTION**

-v-

Docket No. 23-CR-99

PETER GERACE, JR.,

Defendant.

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**PLEASE TAKE NOTICE**, that upon the attached memorandum of Mark A. Foti, that the defendant, Peter Gerace, Jr., will move this Court, before the Honorable Jeremiah J. McCarthy, United States Magistrate Judge, in the Hon. Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York, as soon as he can be heard, for an order granting a fact-finding hearing; and the imposition of sanctions against the government for its clear disregard of this Court's order regarding the disclosure of discovery, including but not limited to vacating the exclusion of time issued on February 23, 2024; preclusion of evidence disclosed after the discovery deadline; and any other sanction or relief deemed appropriate by this Court.

Dated: June 10, 2024

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